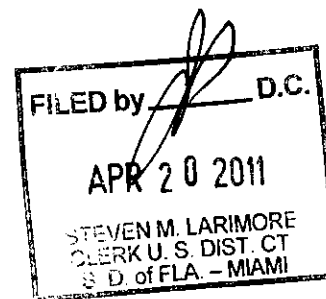


**United States District Court
For the Southern District of Florida
400 North Miami Ave.
Miami, FL 33128
800/220-2204**



(Kardonick/Class Action)
Dianne B. Hufford
No. 10-CV-23235/S.D. Fla.
Pro Se Litigant
Private, Attorney General

J.P. Morgan and Co.
Defendants, et. al.

J.P. Morgan Chase and Co.
Case No. 10-CV-23235 (S.D. Fla.)
KARDONICK/CLASS ACTION
Plaintiff No. 10-CV-23235 (S.D. Fla.)

FORMAL COMPLAINT

RICO Civil Conspiracy Claim Action under civil remedies 18 U.S.C. Section 1964 (c) provides: injunction, restraining protection order relief for any person who has sustained a special racketeering injury in fact to her business/property interest shall have a Federal, private right of action, Federal law cause of action, Federal civil remedies, cause of action –

1. Automatic discovery rules, affidavits of defense, rules of evidence, rules of law, rule of reason in a fraud based claim action, Prima Facie Case Claim Action pursuant to the Federal Rules of Civil Procedure 9-B,
2. Substantial Federal question to be redressed, interpreted, resolved for the benefit of RICO Plaintiff, Dianne B. Hufford,
3. Legal authority in: Sedima, S.P.R.L. v. Imrex Co. 473, U.S. 479, 105 S. Ct. 3275, 87 L.Ed.2d. 346 (1985), and United States v. Turkette, 452, U.S. 576, 101 Sect. 2524 69 L.Ed.2d. 246 (1981)
4. Court costs, attorney fees
5. RICO/anti-trust precedents for actual/punitive damages under 15 U.S.C. Section 15 for defendants/co-conspirators violations, Sherman Act (15 U.S.C. Sections 1 and 2) conspiracy in restraint/interference with interstate or foreign commerce, Clayton Act (15 U.S.C. Sections 1-8, 13-21) anti-competitive effect claim action, Lanham Act (15 U.S.C. Section 43 (a)), unlawful methods of competition, unlawfully causing confusion;
6. Legal wrongs, legal fraud, fiduciary fraud, legal injury in fact, intentional interference with rights under RICO's extortion/Hobbs Act, 18 U.S.C. Section 1951 for violations, 18 U.S.C. Section 1962 (c) (d); triggering
7. RICO's fraudulent disposition law/misrepresentation law/Statutes of Fraud, Statute 13 Elizabeth, claim action under RICO civil liability claim action, cause of action.
8. Specifically particularized mail/wire fraud advertisements under 18 U.S.C. Section 1341 mail fraud/Section 1343 wire fraud, Section 1346 – deprivation of money, business or property interests and violations to 18 U.S.C. Section 1962 (c) (d);

- A. Particularly relevant in conscious parallelism of unlawful (transactions, trafficking in counterfeit documents, agreements, extortionate "credit" transactions, conversion of material facts/business purpose
1. Restatement, second of torts, Section 8 (a), count (b)⁸
 2. Malice exists when injury is certain or substantially certain to occur, and conversion is done intentionally by actual and constructively fraudulent business practices (willful and malicious conduct to unconscionability in the bargaining process, bad faith/fraud are done intentionally to inflict harm, damages, injury in fact to business or property interests;
 3. Accrual of RICO damages as long as legal authorities/agency actions unlawfully withheld duty to investigate the systematic patterns of RICO predicated acts/offenses, constituting patterns of racketeering activities targeting the "individual" citizen, taxpayer, borrower, consumer business or property interests, Dianne B. Hufford.
- B. Interference with rights under the Hobbs Act/extortion provisions, 18 U.S.C. Section 1951 violations/RICO predicated act/offenses –
1. Cumulative indicia of fraud, specifically: the enterprise is an entity existing as this association in fact, Corporate Bank Services Act, bust out scheme to defraud "the individual" (legal authority in: ePlus Technology, Inc. v. Aboud, 313, F. 3d. 166 (4th Cir. 2002) to obtain fruits of the conspiracy by devising this oligopolistic market structure, exclusive dealing representation, RICO fiduciary fraud claim action/product extension merger, unlawful branching of discount brokerage houses/loan sharking schemes to defraud, and clandestine acts to avoid discovery, civil/criminal conspiracy claim action/RICO statutory laws. Constructively fraudulent business practices and purposes of the enterprise was to obtain unlawful financial gains, profits, advantages/commercial bribery of discount brokerage/credit card services to obtain absolute power to corrupt absolutely, under Color of Title, Right, Legal Authority.

Preponderance of this evidence to win this RICO claim action, as a matter of law, judgment by default, judgment on the merit/pleadings of this claim Acton/complaint. Prayer for relief, judgment as a matter of law in favor of Plaintiff, Dianne B. Hufford for \$3.5 million/tax free financial settlement upon the approval of the court/United States District Court, subject matter jurisdiction/expertise to redress, interpret, resolve the rights to recover treble money damage judgment, as a matter of law.

DATE

April 16, 2011

Dianne B. Hufford
Dianne B. Hufford

PO Box 701

Cecilton, MD 21913-0701

Kardonick Settlement Administrator
PO Box 280
Philadelphia, PA 19105-0280
800/220-2204
www.kardonicksettlement.com

COUNT 1 – RICO Civil Conspiracy Claim Action, cause of action – alleging, asserting the following

RE: Chase credit card/unlawful, felonious “takings”

1. Extortionate “credit” transactions/RICO “Civil Conspiracy Claim Action”, cause of action
2. Intra-corporate conspiracy to defraud, 18 U.S.C. Section 1961 (4) RICO enterprise element
3. Mail/wire fraud advertisements/patterns of racketeering activities/predicated acts/offenses includes –
4. Loan sharking, collection of an unlawful debt
5. Interference with rights under RICO extortion/Hobbs Act element, 18 U.S.C. Section 1951 includes excessive use of force/threats to destroy and does sabotage the credit, money, business, or property interests, putting in fear/obstruction of criminal investigation, unlawful use of collection agency, mail/wire fraud, fraud on the Judicial System, fraud on the civil process, actual and constructively fraudulent business practices to obtain windfall profits, gains, advantages for selfish greed to tax fraud against the United States, violating 18 U.S.C. Section 1962 (c) (d) provides:
 - A. Be completed by or the association with any enterprise;
 - B. Engaged in or that activities of which affect interstate or foreign commerce to
 - C. Conduct or participate directly or indirectly in the conduct of such enterprise’s affairs through a pattern of racketeering activities, or
 - D. Collection of any unlawful debt; and,
6. It shall be unlawful for any person, corporation, partnership, group of individuals, association in fact, as it relates to RICO “enterprise” element, 18 U.S.C. Section 1961 (4) and Section 1961 (5), patterns of racketeering activities to
 - A. Be completed by or the association with any enterprise;
 - B. Engaged in or that activities of which affect interstate or foreign commerce to
 - C. Conduct or participate directly or indirectly in the conduct of such enterprise’s affairs through a pattern of racketeering activities, or
 - D. Collection of any unlawful debt; and,
7. 18 U.S.C. Section 1962 (d) provides: It shall be unlawful for any person to
 - A. Conspire to violate any section 1962 (a) (b) (c) (d) includes
 - B. Trafficking in counterfeit documents, post cards/corrupt tendering, solicitations to settlement worth \$15.00 and \$60.00 (before) administrator services/fees/costs to attorney fees/retainer liens, excessive exaction of business or property interests, perpetrating, fraud in the execution, fraud at law/fact
 - C. Actual and constructively fraudulent business practices
 - D. Invidious discriminatory price fixing/prejudiced effects
8. Specifically particularized under civil remedies, 18 U.S.C. Section 1964 (c) provides –

- A. Any person who sustained a special racketeering injury in fact to her business or property interests shall recover
1. Treble money damages (prayer for relief/compensatory damages - \$3.5 million
 2. Actual/punitive damages – as much as the court will allow/RICO – anti-trust claim action;
 3. Automatic injunction, restraining, protection order relief;
 4. Automatic rules of discovery/affidavits of defense to confirm or deny actual intent to hinder, delay, prejudice/discriminate (arbitrarily, capriciously) cumulative, indicia of fraud, impair the obligation of contract, withhold evidence/obstruction of justice, omit/obstruct/interfere, and scheme to defraud, separate and apart from the activities in which it engages, Ponzi/pyramid scheme to defraud the “individual” citizen, taxpayer, borrower, consumer, business/property interests, intra-corporate conspiracy to defraud, substantial deviation from the ordinary course of conducting (bank services, credit card services) triggered:
- B. RICO’s racketeering influenced and corrupt organizations law violations to: Counts:
1. RICO’s fraudulent disposition law provision
 2. RICO’s misrepresentation law provision
 3. RICO’s statutes of fraud, Statute 13 Elizabeth provisions
 4. RICO’s extortion/Hobbs Act element
 5. RICO’s enterprise element
 6. RICO’s fiduciary fraud element
 7. RICO’s predicated acts/offenses element
 8. RICO’s mail/wire fraud element
 9. RICO’s obstruction of a criminal investigation/demanded under 18 U.S.C. Section 1968
 10. RICO’s patterns of racketeering activities element
 11. RICO’s continuity plus relationship element in the furtherance of a common purpose, common objective, modus operandi to prey, take advantage (individual) money business or property interests as this ongoing organization coalescing as separate and apart from the activities in which (it) engages and premeditated/clandestine acts to avoid discovery.
 12. Avoid civil/criminal conspiracy liability claim action.
9. At all relevant times alleging, asserting, anti-competitive effect claim action, fraud based claim action, Prima Facie case claim action, pursuant to the Federal Rules of Civil Procedure 9-B, and 18 (a) joinders of many claims, offenses, parties, remedies, joint tortfeasors, legal injury in fact, legal wrongs, fiduciary fraud, accrual of RICO damages, as long as legal authorities/agency actions unlawfully withheld duty to investigate or inform legal authorities.
- A. Trafficking in counterfeit damages, agreements, extortionate “credit” transactions –
1. The fraud against the United States, embezzlement/misappropriation for commercial

2. Advantages to circumvent the laws and the Constitution of the United States, and the like.
3. Prayer for relief alleging, asserting/RICO claim action.

B. RICO Plaintiff makes a demand for relief/treble money damages

1. Negotiability of the check in the sum total - \$3.5 million, tax free financial settlement within 30 days of this formal complaint paid to Dianne B. Hufford to satisfy her claim action/legal and statutory injury to her business or property interests;
2. Restoration of highest credit line certification;
3. Correct "national credit reports" to a "clean record";
4. Confirm or deny this Kardonick Settlement Administration/con artist) Chase Credit Card holders/Bank of America scheme to defraud the complainant/litigant/private attorney general, Dianne B. Hufford of her money, business/property interests by overt acts of concealment to withholding evidence/obstruction of justice, satisfies this preponderance of the evidence to wire her RICO Civil Conspiracy Claim Action, cause of action, as a matter of law, judgment by default, pursuant to the Federal Rules of Civil Procedure 55, and RICO statutory mandated treble damages under 18 U.S.C. Section 1964 (c), civil remedies for defendants/co-conspirators, violations to 18 U.S.C. Section 1962 (c) (d). Herein realleged/reasserted for specific emphasis added in legal authority: *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479 105 S. Ct., 3275, 87 L.Ed.2d. 346 (1985); and *United States v. Turkette*, 452 U.S. 576, 101 S. Ct. 2524, 60 L.Ed.2d. 246 (1981).

C. Preponderance of the evidence/postcard "entitled" Kardonick Settlement Administrator/post card advertisement (no. 10-CY-23285/S.D. Fla.), PO Box 280, Philadelphia, PA 19105-0280

1. No. 5NQY4ZO – Scheme to defraud/postcard mailed to Dianne B. Hufford/premeditated to evade criminal/civil liabilities;
2. By corporate malfeasance/fiduciary fraud/certain or
3. Substantially certain to produce harm, injury in fact
4. See, restatement, second of torts, Section 8 (a), Count (b)^B, defalcation, fraud, conversions of material facts/business purpose are done intentionally to hinder, delay, defraud, "triggering"
5. RICO's fraudulent disposition law, provision, and the like issues realleged, reasserted herein complaint/RICO civil conspiracy liability
6. Claim action, cause of action, Prima Facie case/fraud based
7. Claim action/RICO's Statute of Fraud, Statute 13 Elizabeth, claim action

D. 18 U.S.C. Section 1964 (c) also provides:

1. Court costs, attorney's fees, accrual of RICO damages (as long as defendants/co-conspirators/corporate malfeasance, professional malpractice/legal fraud, legal wrongs, intentional negligent misrepresentation of material facts/business purpose contrivances, artifice, conversions, schemes

to defraud Dianne B. Hufford, continue to escalate criminal and unlawful methods to deprive money, business or property interests under 18 U.S.C. Section 1346 and violations to 18 U.S.C. Section 1962 (c) (d) RICO Federal Statute

2. Thirty days and continuous refusal to satisfy RICO civil conspiracy liability claim action, lack of signature for the Kardonick Settlement Administrators, PO Box 280, Philadelphia, PA 19105-0280
 - a. Substantial deviation from the ordinary course of conducting businesses to
 - b. Hinder, delay, and defraud
 - c. Mail/wire fraud, scheme to defraud continues to escalate by defendant/co-conspirator.

E. For legal record, I oppose, protest, object to fraud at law/fact in this Kardonick v. J.P. Morgan Chase and Co., No. 10-CY-23235 (S.D. Fla.) and objection to be recorded to:

United States District Court
For the Southern District of Florida
400 North Miami Ave.
Miami, FL 33128

1. Demand for criminal investigation under 18 U.S.C. Section 1968 includes fraud on the civil process, fraud on the judicial system/court procedure, fraud at law/fact, fraud in the execution, retaliatory hate crimes, fiduciary fraud during the legal reputation as this Kardonick Settlement Administrator
2. I oppose, protest, strongly object to these intentional negligent misrepresentation of material facts/business purpose when one considers (credit report and credit "sabotage" and catastrophic financial damages to all other credit card businesses over several years)
3. Excessive exaction of business or property interests/collection of an unlawful debt
4. Excessive usurious interest rates is all that is required/necessary to support this RICO Civil Conspiracy Claim Action, cause of action to commence, pursuant to the Federal Rules of Civil Procedure 2, 3, 9-B, 18 (a), 50, 55, 69, & 79/count and prayer for relief.

April 16, 2011
DATE

Dianne B. Hufford
Dianne B. Hufford, Private Attorney General
PO Box 701
Cecilton, MD 21913-0701

Exhibit ①

**TO CHASE CREDIT CARD HOLDERS WHO WERE ENROLLED IN A PAYMENT PROTECTION PRODUCT
BETWEEN SEPTEMBER 1, 2004 AND NOVEMBER 11, 2010**

You may be entitled to a payment under a proposed class action settlement. In a lawsuit entitled *Kardonick v. JPMorgan Chase & Co.*, Case No. 10-cv-23235 (S.D. Fla.), the Plaintiffs allege that Chase's credit card business engaged in breaches of contract, unfair and deceptive practices, and other wrongdoing in connection with "payment protection" products—products that offer relief from credit card debt under circumstances such as unemployment, disability or death. Chase denies these allegations and denies any wrongdoing.

Chase's records indicate that you are probably a member of the settlement class because you were enrolled in a payment protection product on a Chase-issued credit card at some time between 9/1/2004 and 11/11/2010. Class members may (1) file a claim for money from the settlement, (2) exclude themselves from the settlement, or (3) object to the settlement. To file a claim, go to www.KardonickSettlement.com or write to the Kardonick Settlement Administrator at the address below. If the settlement is approved, estimated claims payments will be between \$15 and \$60, before administration costs, attorney fees, and legal expenses. You cannot receive a payment unless your claim is received by 8/8/2011.

If you want to exclude yourself from the settlement (and receive no money from the settlement), the Kardonick Settlement Administrator must receive your request for exclusion no later than 8/19/2011 at the address below. If the settlement is approved, all class members who do not exclude themselves will give up any right to sue Chase or related parties for any known or unknown claims relating to payment protection products, as more fully described in the settlement. If you think the Court should reject the settlement, you or your attorney may send a written objection to: U.S. District Court for the Southern District of Florida, 400 North Miami Ave., Miami, FL 33128. Objections must be received no later than 8/19/2011. Objectors who send in timely objections may speak about the settlement in Court at a hearing currently scheduled for 9/9/2011. To obtain the full instructions for excluding yourself or filing an objection, go to www.KardonickSettlement.com or write the Kardonick Settlement Administrator at the address below.

This is only a summary of the settlement and your rights. To obtain the full class notice or for more information, go to www.KardonickSettlement.com or write to Kardonick Settlement Administrator, P.O. Box 280, Philadelphia, PA 19105-0280. **DO NOT CALL THE COURT, CHASE OR CHASE'S COUNSEL REGARDING THIS NOTICE.**

QUESTIONS? CALL TOLL-FREE 800-220-2204 OR VISIT WWW.KARDONICKSETTLEMENT.COM

Kardonick Settlement Administrator
P.O. Box 280
Philadelphia, PA 19105-0280

**FIRST CLASS
MAIL**

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE
PAID
PERMIT NO. 2323
PHILADELPHIA, PA



5N9V4Z0

*****AUTO**3-DIGIT 219

T377 P1
DIANNE HUFFORD
PO BOX 701
CECILTON, MD 21913-0701



DEFENDANT'S ADDRESS

Kardonick Settlement Administration
PO Box 280
Philadelphia, PA 19105-0280

REFERENCE TO: Kardonick v. J.P. Morgan/Chase and Co.
Class Action/Scheme to Defraud
No. 10-CY-23235 (S.D. Fla.)

The Plaintiff:

1. Claim estimated between \$15.00 and \$60.00
2. Before Administrative costs, attorney/retainer liens/expenses
3. Fraud at law/fact, fraud on judicial system.

AFFIDAVIT OF

Drannie B. Huffard, solemnly declares and affirms under the penalties of perjury that the contents of this attached foregoing complaint are true and correct to the best of her knowledge, information, and belief as alleged and pleaded.

Drannie B. Huffard
Plaintiff/affidavit